



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew Valencia
Serial No.: 10/695,199
Filing Date: October 28, 2003
Group Art Unit: 2663
Examiner: Keith M. George
Title: OPTIMIZING QUEUING OF VOICE PACKET
FLOWS IN A NETWORK

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TERMINAL DISCLAIMER

In response to the Office Action mailed December 2, 2004, Applicant hereby submits this Terminal Disclaimer in support of the accompanying Response to Examiner's Action.

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REMARKS

Cisco Technology, Inc., owner of 100% percent interest in the above-identified patent application as evidenced by an assignment of the above-identified application by the inventors to Cisco Technology, Inc. and shown in the Assignment Records of the United States Patent and Trademark Office at Reel 010520, Frames 0879-0880, recorded on January 3, 2000, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and §173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,650,652 filed October 12, 1999 and issued November 18, 2003, also owned by Cisco Technology, Inc. and hereby agrees that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,650,652, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors, or assigns.

Applicant does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and §173 of U.S. Patent No. 6,650,652 as presently shortened by any terminal disclaimer, in the event that one or more of the following occurs to U.S. Patent No. 6,650,652: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

CONCLUSION

An amount of \$130.00 is required to satisfy the terminal disclaimer fee under 37 C.F.R. §1.20(d). Attached herewith is a check made payable to the "Commissioner of Patents and Trademarks" in an amount of \$130.00 to satisfy the terminal disclaimer fee of 37 C.F.R. §1.20(d).

The Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

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March 1, 2005

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